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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,416	10/28/2003	Sanjay Verma	3222-5	5357
20575	7590	04/13/2006	EXAMINER	
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			PYO, MONICA M	
			ART UNIT	PAPER NUMBER
			2161	
DATE MAILED: 04/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/696,416	Applicant(s) VERMA ET AL.	
	Examiner Monica M. Pyo	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***DETAILED ACTION***

1. Claims 1-8 are present for examination.
2. Claims 1-8 are rejected.

***Information Disclosure Statement***

3. No information disclosure statement (IDS) was submitted.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "sort operation" in lines 2 and 3 of Claim 2 and Claim 6 recites the limitation "sort activities" in lines 1-3 of Claim 6. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2, 4-6 and 8 are rejected under 35 U.S.C. 102(e) as being obvious by U.S. Patent Application Publication No. 2004/0205066 by Bhattacharjee et al. (hereafter Bhattacharjee).

Claims 1 and 5:

Regarding Claim 1, Bhattacharjee disclose a database management system, comprising:  
a processor associating lock durations with different activities in a transaction and maintaining locks for the duration of the activities and then releasing the locks when the activities are completed (Bhattacharjee: [0062], lns. 9-14; [0146], lns. 1-8; [0147], lns. 5-9).

Claim 5 is also rejected based upon the same reasoning as Claim 1.

Claims 2 and 6:

Regarding Claim 2, Bhattacharjee disclose the system wherein one of the activities includes a sort operation and the processor activates locks for each separate sort operation and releases the locks when the individual sort operations are completed (Bhattacharjee: [0061], lns. 1-9; [0062], lns. 1-14).

Claim 6 is also rejected based upon the same reasoning as Claim 2.

Claims 4 and 8:

Regarding Claim 4, Bhattacharjee disclose the system wherein the processor associates the activities with lock modes and releases the lock modes on data items when the associated activities are finished (Bhattacharjee: pg. 5, table 1 illustrating different lock types; [0081], lns. 13-20).

Claim 8 is also rejected based upon the same reasoning as Claim 4.

*Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhattacharjee as applied to claims 1-2, 4-6 and 8 above, and further in view of U.S. Patent No. 5,497,483 issued to Beardsley et al. (hereafter Beardsley).

Claims 3 and 7:

Regarding Claim 3, Bhattacharjee disclose the system including individual activities for the transaction, the processor assigning activity identifiers to the activities (Bhattacharjee: [0100], Ins. 1-7).

Bhattacharjee does not disclose: memory containing a bit map that tracks activities.

However, Beardsley disclose: memory containing a bit map that tracks activities and (as the transfer track indicating bit map; Beardsley: col. 10, Ins. 7-18; fig. 9).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine the setting a bit map of Beardsley into the locking database of Bhattacharjee. Skilled artisan would have been motivated to incorporate the Beardsley's teaching of using a bit map setting in the Bhattacharjee's teaching of multi-level locking database system to utilize controlling a track transfers as suggested by Beardsley (Beardsley: see Abstract; col. 9, Ins. 53-66).

Claim 7 is also rejected based upon the same reasoning as Claim 3.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

04/10/2006

Monica M Pyo  
Examiner  
Art Unit 2161

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

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